



CITY OF BEVERLY HILLS

455 NORTH REXFORD DRIVE • BEVERLY HILLS, CALIFORNIA 90210

John A. Mirisch, Mayor

June 10, 2019

The Honorable David Chiu
Assemblyman, 17th District
State Capitol, Room 4112
Sacramento, CA 95814

RE: AB 1763 (Chiu): Planning and zoning: density bonuses: affordable housing.
City of Beverly Hills - OPPOSE

Dear Assemblyman Chiu,

On behalf of the City of Beverly Hills, I write in respectful **OPPOSITION** to **AB 1763**, which mandates a city or county permit greater density, additional concessions and incentives, and significantly increases in the allowable height of a proposed development project if 100 percent of the units in the development will be restricted to lower income households.

The City of Beverly Hills recognizes the need to develop more affordable housing in California. However, our City opposes the expansion of the state's Density Bonus Law as outlined in **AB 1763** as it overrides well-established local zoning ordinances as they relate to "major transit stops" and "high quality transit corridors".

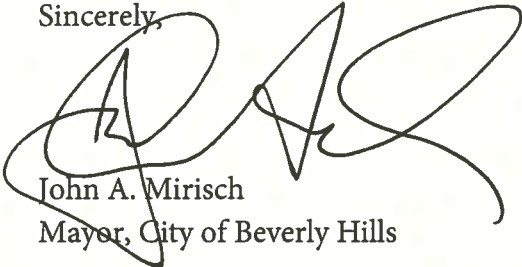
As proposed, **AB 1763** greatly undermines locally adopted General Plans, Housing Elements (which are certified by the Department of Housing and Community Development), and Sustainable Community Strategies. Cities throughout the state have spent a great deal of effort, time, and money to create these plans so that each community could flourish in a unique manner best suited to their area. The changes in **AB 1763** would fundamentally transform the character of Beverly Hills and threaten the industries that contribute to the City's vitality, culture, and identity. Such a transformation would have economic impacts that would reverberate throughout the region.

Further, **AB 1763** allows for development without oversight of local authorities. This bill permits developers to determine the density and height of a project regardless of the damaging effects it may have on a community. The unlimited density and up to three additional stories for developments within one-half mile of a “major transit stop” would fundamentally alter the village atmosphere that was so carefully planned for by the founders of Beverly Hills. While the existing 35 percent density bonus allowance may need to be adjusted for projects near major transit stops that contain 100 percent affordable units, granting a developer an unlimited density bonus and three additional stories is too extreme in many communities around the state. It is almost assured that such an expansion of Density Bonus Law will undermine a city’s state certified housing element and community-based housing plans.

As proposed, **AB 1763** inherently grants transit agencies a role in determining land use near “major transit stops” and “high quality transit corridors”, further restricting the authority of local control of municipalities. Bus corridors are by nature not set in stone and can be easily altered at the whim of a transit authority. Allowing developers to greatly increase density around bus corridors could result in residents being stranded, if bus service becomes inadequate. Additionally, community members may now openly oppose any new transit stops from being created in their area due to the fear of increase in population that may occur, and the potential abandonment of those bus routes in the future, as other modes of transportation are developed.

For these reasons, the City of Beverly Hills must respectfully **OPPOSE AB 1763 (Chiu)**. Thank you for your consideration.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Mirisch', with a large, stylized flourish extending from the end of the signature.

John A. Mirisch
Mayor, City of Beverly Hills

cc: Chair and members and Consultants, Senate Housing Committee
The Honorable Ben Allen, 26th Senate District
The Honorable Richard Bloom, 50th Assembly District
Andrew K. Antwih, Shaw / Yoder / Antwih, Inc.